

**TOWN COUNCIL SPECIAL MEETING - WEDNESDAY EVENING  
OCTOBER 17, 2012**

PRESENT: Marshall, Barboza, Teixeira, and Parella

ALSO PRESENT: Diane C. Mederos, Town Administrator

ABSENT: Herreshoff

The Council met in special session on Wednesday evening, October 17, 2012 in the Town Hall, Council Chambers, beginning at 7:14 o'clock PM, Council Chairman Marshall presiding:

1. Workshop re Out of Service Fire Hydrants - Poppasquash Road

Council Chairman Marshall announced that the purpose for this evening's meeting was to conduct a workshop with the Bristol County Water Authority concerning the water main serving Asylum Road southerly to Poppasquash neck.

Council Chairman Marshall noted that the Town Administrator authorized an expenditure to support engineering a remedial project. He also introduced BCWA Board members present, Allan Klepper, Paul Bishop and Frank J. Sylvia. Council Chairman Marshall also noted the presence of Pamela Marchand and Kenneth Booth of the Water Authority.

Council Chairman Marshall continued to report that the matter is considered to be urgent and that part of this evening's discussion will consider funding, design, and engineering of the project.

Council Chairman Marshall reviewed the points raised by Fire Chief Martin in his memorandum (agenda item 2).

Ms. Marchand explained that the Water Authority "partnered" with Roger Williams University in that the University purchased the water tower and also shared the cost of a larger water main pipe.

Ms. Marchand also noted that the BCWA is essentially devoid of disposable funds since it has undertaken the Franklin Street water main repair project. She added that the Poppasquash water main was never suitable for fire flow and that this would require a higher capacity water main.

Councilman Barboza asked to know if the Water Authority planned to issue a bond for future capital projects with

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Ms. Marchand responding that the Authority does not have a capital borrowing plan at the present time but will consider one in the future.

Mr. Sylvia asked to know if Fire Chief Martin's question regarding the Pare report of 2009 has to do with the water pressure problems in the northeast part of Town with Fire Chief Martin responding that his concern is for all water pressure problems toward the Warren town line.

Mr. Sylvia explained that the northeast section of Town will be addressed with future borrowing. He noted that the BCWA spent \$14,500 on an engineering study which recommends two phases of improvements. He added that the second phase considers \$6.8 million "to place pipes in the streets" and that the northeast section will be part of that funding scenario.

Fire Chief Martin asked to know if there is a date planned for this project with Ms. Marchand responding that the project is slated for commencement in 2019.

Ms. Marchand added that the BCWA is paying \$3.2 million per year in debt service and that this drops off in 2014.

She added that the Board has tried to keep rates as low as possible. She also added that it will take a number of years to resolve the issues and that certain developments were allowed, over the objections of the water board, allowing booster pumps.

Councilman Barboza asked to know what else could be considered as critical with Ms. Marchand responding that there is a 12-inch water main that is in need of cleaning and relining and that this needs to be address due to water quality issues.

A discussion ensued regarding the BCWA capital program with Councilwoman Parella asking to know what the BCWA plans to do about emergencies with capital funds unavailable.

Ms. Marchand responded that the cost to repair breaks is minimal as compared to \$.5 million to refurbish the 12-inch main.

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A discussion ensued regarding the financial condition of the BCWA with Ms. Marchand explaining that the bonding authorities expect to see a certain level of reserve funds.

A discussion ensued regarding the fire flow issues of the problem main with Ms. Marchand stating that the main was never intended to provide fire flow and that the main was installed in the early 1900s and was never corrected to allow for fire flow.

Councilwoman Parella stated that "it blows her mind" that the line was never rated for fire flow when residents were led to believe that it was. She added that she believes that every water main should be available for both fire flow and for household use.

Ms. Marchand noted that there were obviously things that were done in the past that are outside of her control.

She added that the Fire Chief has redone his plan for fire fighting and that the fire hydrants were removed because they do not support this plan.

Councilwoman Parella asked to know how these problems will ever be addressed absent capital funds. She added that she believes if the Town is to participate in the cost of the improvements then the BCWA should share in this cost.

Allan Klepper, Chairman of the Water Authority Board of Directors, explained that the Authority is reviewing its capital plans. He added that trucks, etc., also have to be replaced along with the infrastructure. He also added that the capital plan will look-out twenty (20) years.

Mr. Klepper noted that the BCWA can raise rates to pay for all that the Council suggests. He further noted that the Authority is struggling with the details of its plan and with the complication of how to pay for it.

A further discussion ensued regarding the BCWA's capital outlays.

Council Chairman Marshall suggested that the water problems of Quinta-Gamelin and part of Poppasquash Road might be quickly resolved through a connection to the bottom of Clifton Road. He added that the second phase of the project will require more time since the pipes need to be

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upgraded. He also added that his suggested first phase remedies will allow for the improvements to the Quinta-Gamelin center to move forward.

Fire Chief Martin agreed with Council Chairman Marshall.

Ms. Marchand reported that when the discussions on this issue first began, she asked Pare Engineering for a hydraulic model to predict fire flow. Pare came up with a plan to utilize the main on Duffield Road and a new main. She added that the Town has a sewer right-of-way along the bicycle path and that Pare was familiar with this since it designed a bicycle path renovation plan.

Mr. Booth noted that the Duffield and Clifton connections are relatively easy since they are not situated in wetlands and that all of the land these would cross is Town-owned. He also noted that the path goes through nearby woods and that it will pass underneath the bicycle path which will require a shut-down of that portion of the path for two (2) days.

Council Chairman Marshall asked to know if \$300,000 was a good figure to begin with for this work with Ms. Marchand responding that the upper limit for the project would be \$400,000 and that the BCWA would spend only what is necessary. She added that the project may run into rock and that this may escalate the cost above \$300,000.

Councilman Teixeira asked to know if the integrity of the existing sewer line would be compromised should the project encounter a rock problem.

Mr. Booth responded that the existing sewer line is twenty (20) feet deep and that would indicate that the project should not encounter any difficulty with ledge (rock).

Councilwoman Parella asked to know if the Town has the capacity to allocate \$400,000 with Town Treasurer Goucher responding that she would prefer if the Town was sharing and not bearing the entire cost. She suggested that the sharing might be somehow achieved if the Town receives the hydrants rental free over time.

Town Treasurer Goucher added that the expenditure of \$300,000 - \$400,000 would mean a tax increase.

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Council Chairman Marshall noted that the expenditure requires a public hearing.

Town Treasurer Goucher agreed to make a cash flow report. She again suggested that the Town might share in the cost of the new line but not bear the entire cost.

The Clerk reported that the solicitor has determined that this type of public hearing requires advertising.

Councilwoman Parella noted that this is an important issue. She noted that it is both a public safety issue, but also an issue that the BCWA should consider. She agreed with Town Treasurer Goucher that the Town must be concerned about its finances.

Councilwoman Parella asked to know how the first phase project would impact the Poppasquash Road situation.

Mr. Booth responded that should the BCWA be allowed to proceed with the first part of the first phase it will begin this winter. He added that Pare has a plan to consider subsequent phases over land - not disturbing asphalt.

Mr. Booth added that there may be problems with certain routes since it will disturb stone walls and tree lines. He also added that one possible solution is to follow the access road and that DEM appears to be in agreement with this option.

Mr. Booth also explained that there is a third phase which goes toward West Harbor Road.

A discussion ensued regarding the line through Harbor View Avenue and the proposed Bristol Marine sewer line.

Mr. Booth stated that he was not sure if the two projects could be coordinated and that he would discuss this with Mr. Tyska. He added that the State would also have to be in agreement.

Herbert Cummings, of 11 West Harbor Road, asked to know if additional work may be completed if the funds are available.

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Mr. Booth explained that a plan was considered to "piggy back" along the bicycle path but that there may be archaeological considerations. He added that these may slow the process.

Mr. Cummings asked to know when he will receive water for fire fighting with Mr. Booth responding that there is an adequate fire fighting plan in place right now. He added that it would take up to two years to have conventional hydrants available.

Councilman Barboza asked to know if the local association might wish to provide funding with Mr. Cummings responding that the association is small with only four (4) homes and no capital available.

Jil Westcott asked to know where the barn at Colt State Park is connected with Mr. Booth responding that there is a park line and that the State is looking into options for fire protection. He added that the BCWA plan does not include park property.

Ms. Westcott stated that she believes there is a line running past Coggeshall Farm.

Mr. Booth responded that that line would be helpful to the park but not helpful to the Town.

Councilman Barboza asked to know if there is a four-inch line in the park with Mr. Booth responding that there is a line which ranges from four to six inches.

Councilwoman Parella asked to know the timeframe for the project if funds become available with Mr. Booth responding that the first phase can be completed within one month and that the entire project will take two years.

Councilwoman Parella asked to know when the project would begin with Mr. Booth responding that the project may begin in December or January.

Mr. Sylvia asked to know if Pare was already working with the Town's appropriation of \$5,000 with Mr. Booth responding that Pare has been working on the project for one week.

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Edward P. Stuart, Jr., asked to know if the Town provided \$400,000 to BCWA, might the Authority have a capital bonding program on its own in the future with Ms. Marchand responding that any plan to borrow would be up to the Board of Directors. She added that this type of decision would impact the water rates.

A discussion ensued regarding replacements of BCWA water mains, etc.

Mr. Booth noted that there is a repair project underway in Barrington and that the available pool of funds for these projects is very small.

Councilwoman Parella again noted that the cost of the project should be shared. She suggested that the Town may be willing to provide funding to complete the project and a portion of these funds will be repaid by the Authority.

Ms. Marchand responded that the Authority would be unable to pledge funds that it does not have.

Mr. Sylvia informed the Council that his Board is considering a 3% increase in 2013, a 10% increase in 2014, and 2.75% increases in 2015, 2016 and 2017, preliminarily.

Ms. Marchand noted that the 2013 increase is already in place and that the Authority lost revenues due to a reduction in consumption so that the Authority has no funds to expend.

Councilwoman Parella stated that she finds it problematic to equate a rate increase to a particular improvement project since rate increases never go away even after the project is completed and paid for.

Ms. Marchand informed the Council that the Authority has an "old system" and the need to complete maintenance programs is never going to end. She added that the system requires "constant renewal."

Councilwoman Parella suggested that there may be a bond issue for improvements placed on the ballot with Ms. Marchand explaining that the Board must determine rates and put these in place before considering bonds since it must determine how to repay these.

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Councilman Barboza questioned the need to have a rate increase of 20.5% over a five year period with Ms. Marchand noting that this would not be unusual.

Mr. Sylvia reported that the City of Newport is facing a 35.13% increase and that the City "did not like that one either."

Nathan Calouro questioned the BCWA's reasoning that Bristol should bear the entire cost of the replacement water main.

Ms. Marchand responded that the "developer" pays for the line and the Authority maintains it. She added that since the Town is requesting an upgrade to the line, then it is considered the "developer."

Councilman Barboza asked to know if the costs of BCWA improvements are apportioned by Town with Ms. Marchand explaining that these are not apportioned. She added that the Authority attempts to consider an equitable distribution of its repair funds by town considering the most critical areas of need.

Mr. Calouro asked to know if the same set of circumstances were found in Warren or Barrington would those communities "be asked to write the check?" with Ms. Marchand responding affirmatively.

Ethan Tucker asked to know if it is the BCWA's responsibility to maintain the line. He added that it appears via the testimony that the subject line has not been maintained properly.

Ms. Marchand agreed with Mr. Tucker that it is the responsibility of the BCWA to maintain its lines.

Mr. Tucker asked to know if Bristol's lines were better or worse than those of Warren and Barrington with Ms. Marchand responding that all three towns "are in the same boat."

Mr. Booth noted that the same situation exists in all cities and towns in Rhode Island.

Councilman Barboza stated that he believes that the Authority's decision not to flush its mains for three (3) years resulted in problems in Bristol.



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Ms. Marchand reported that all lines were flushed this year.

Councilwoman Parella again raised the issue of a voter considered bond issue, suggesting that there might be a statewide bond issue for \$10,000,000, repayable by the State in which all water systems might share.

Mr. Booth explained that there is some Federal funding in the form of lower interest loans which must be repaid.

Ms. Marchand noted that there is a State surcharge on the sale of water and that 5/8 of this goes to the State general fund, the remainder is shared by the State water resources board and others.

Councilwoman Parella suggested that the various interested parties should lobby the legislature for State funding to repair water infrastructure.

Mr. Booth noted that all of the various water authorities are short of cash. He also noted that the State funding has been phased-out.

Councilman Teixeira asked to know if Bristol received its share in the past with Mr. Booth responding that the cross-bay pipeline was partially funded through the State.

Mr. Klepper explained that the State still is committed to provide approximately \$6.9 million for reservoir improvements, upgrading the plant, and for a pipeline.

Council Chairman Marshall asked to know if this matter should be brought to the legislature with Mr. Klepper responding that the Authority should meet with the legislators and the three town councils.

Mr. Klepper noted that the Authority has 233 miles of water lines and only 68 miles have been upgraded. He added that the Authority would like to do more of this and do it more quickly than in the past.

He explained that the Authority used to spend approximately \$1 million per year on these upgrades and that the practice ceased and that he would like to see it returned.

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A discussion ensued regarding the possibility of the three town councils meeting with the Authority and the legislature.

Paul Sanromá, of 55 Poppasquash, asked to know if the Authority plans to continue its flushing operation now that the hydrants have been removed from the Poppasquash line.

Mr. Booth stated that the lines will still accept the hydrants and that these can be replaced temporarily for the purposes of flushing the lines.

Clifford Woods, of 133 Poppasquash Road, asked to know the linear feet of the first phase and the second phase with Mr. Booth responding that the first phase will run 1855 feet. He added that he was uncertain of the length of the second phase.

Mr. Woods asked to know if the cost of \$394 per foot was typical.

Mr. Booth replied that the Authority will be able to come up with an estimate as the project progresses.

Mr. Woods asked to know if the line could be looped with Mr. Booth responding that it was not possible to do this on a peninsula.

A discussion ensued concerning the State, DEM, etc.

A discussion ensued concerning the system pressure for fire fighting.

Mr. Sanromá noted that he has 70 - 80 PSI at his residence.

Mr. Booth noted that there is insufficient water in the line but adequate pressure.

Ms. Westcott asked to know if the standards changed since the 1980s when the West Harbor development was built with Ms. Marchand noting that the line in West Harbor was never suitable for fire flow and that the problems were caused by the developer.

Barboza/Teixeira - Voted  
unanimously to continue all

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matters until the meeting  
scheduled for October 24, 2012.

Council Chairman Marshall thanked the Water Authority for repairing the Franklin Street water line.

Mr. Booth reviewed the particulars of the project and that he expects that it may be completed before Thanksgiving Day.

- \*AMEND ITEM 2.** Fire Chief Martin re BCWA Agenda Items  
10-17-2012

*These items were discussed concurrently with agenda item 1 above.*

- \*AMEND ITEM 3.** Allan Klepper re Bristol County Water  
Authority (BCWA) October Monthly Report,  
**continued from October 10, 2012**

*There was no action taken regarding this matter.*

Council Chairman Marshall congratulated Mr. Klepper upon being elected Chairman of the Water Authority.

Councilman Barboza noted that Mr. Klepper's periodic reports have been very helpful.

- \*AMEND ITEM 4.** Executive Session pursuant to RIGL § 42-46-  
5(a) (5) re acquisition of real property

Teixeira/Parella - Voted  
unanimously to continue this item  
until the meeting of October 24,  
2012.

There being no further business, upon a motion by Councilman Teixeira, seconded by Councilwoman Parella and voted unanimously, the Chairman declared this meeting to be adjourned at 9:12 o'clock PM.

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LOUIS P. CIRILLO, CMC, Council Clerk